

Demonstrative for RAF's Motion for Partial Summary Judgment dated 9-24-24

Appendix Pages	Subject Defendants	Claim(s) Amount*	Documentation	"Sale" Date(s)	Claim Date
7-37	Dennis Buss	\$400,656.77	Bill Tables, Projected Close Outs ("PCO"). Payment to MFY for investment/purchase. Alleged "sell" date in the future.	April 14, 2023 June 1, 2023	April 24, 2023
	Buss Family Trust Edwin D. Buss	\$487,511.05	Bill Tables, PCOs, Invoice. Payment to MFY for investment/purchase. Alleged "sell" dates in the future.	April 4, 2023 June 6, 2023 July 29, 2023 (2x)	April 2023
38-45	Eddie Bryant	\$282,119.21	Bill Table and PCO. Payment to MFY for investment/purchase.	April 14, 2023	April 2023
46-56	Gray Brothers Cattle Robert Gray Ronnie Gray	\$483,945.93	5 Bill Tables dated 1/10/23 (same date as the alleged "sales").	Jan. 10, 2023 (5x)	April 25, 2023
57-67	Craig and Amy Sutton	\$518,382.21	2 Bill Tables, Invoice, 2 PCOs. Payment to MFY for investment/purchase. Future "sale" date.	March 31, 2023 July 31, 2023	April 24, 2023
68-78	Steve Ryan	\$278,051.87	2 Bill Tables and 2 PCOs. Payment to MFY for investment/purchase.	April 14, 2023	April 24, 2023
79-87	Janice Lawhon	\$189,965.10	Bill Table and PCO. Payment to MFY for investment/purchase. Future "sale" date.	July 26, 2023	April 24, 2023
88-113	A.J. Jacques Living Trust	\$393,051.49	2 Feeding Agreements, 4 Bill Tables, 4 PCOs, 2 Close Outs ("CO").	January 6, 2023	May 3, 2023

Demonstrative for RAF's Motion for Partial Summary Judgment dated 9-24-24

Appendix Pages	Subject Defendants	Claim(s) Amount*	Documentation	"Sale" Date(s)	Claim Date
			Payment to MFI for investment/purchase. Bad check from MFI for \$26,997.32.		
114-128	Gungoll Cattle, LLC Bradley Gungoll	\$495,648.89	4 Invoices <i>from</i> MFY dated 1/6/23 (same date as alleged "sales").	January 6, 2023 (4x)	May 3, 2023
	Leah Gungoll	\$150,852.24	Invoice <i>from</i> MFY dated 1/6/23 (same date as alleged "sale").	January 6, 2023	May 3, 2023
129-176	Jan and Gary Lesh	\$323,749.84	Explanatory Letter of 4/24/23. 2 Bill Tables, PCO, texts with B. McClain. Transaction table of investments.	April 13, 2023 ("delivered") April 24, 2023 ("delivered")	April 24, 2023
	Lesh Family Trust Jordan Lesh, LLC Jared Lesh	6,935,790.27	2 Checks from MFI. 13 Bill Tables, 14 Close Outs, 4 Invoices <i>from</i> MFY.	April 1, 2023 (check date) April 18, 2023 (check date)	April 25, 2023
177-186	Gene Brookshire Family, LP	\$6,529,887.87	No document other than Notice.	April 14, 2023 (17x)	April 28, 2023
	Joel Brookshire	\$311,385.13	No document other than Notice.	April 10, 2023	April 28, 2023
187-193	Doug Finley	\$129,582.40	Invoice <i>from</i> MFI to Doug Finley for <i>his</i> investment/purchase.	April 18, 2023	April 24, 2023

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Appendix Pages	Subject Defendants	Claim(s) Amount*	Documentation	"Sale" Date(s)	Claim Date
			The alleged "sales" amount was the Projected Close Out "Sold" figure, not Profit plus Cost.		
194-221	Scarlet & Black Cattle, LLC Colton Long	\$3,707,039.52	MFI Colton Long Inventory and valuation table. 8 Feeding Agreements, 12 Bill Tables, and 1 Invoice <i>from</i> MFY. "Expected" sell dates.	"exp. sell date(s)" of April 8, 9, 15, 16, 21, & 28, 2023.	April 24, 2023
222-269	Scott Livestock Company Steve T. Scott Farms, Inc.	\$5,059,256.37	2 Invoices from SLC to MFI. (4-12-23) 11 invoices from SLC to MFI. (All invoices dated April 25, 2023). 10 Livestock Contracts (Dec. 2022 through Feb. 2023). 4 Invoices from MFY; 3 Bill Tables; texts with B. McClain. Multiple Payments to MFY.	April 12, 2023 April 25, 2023 (12x)	April 24, 2023 April 25, 2023
270-285	Robert J. Spring	\$149,812.73	Payment to MFY for investment/purchase. 2 Bill Tables, 2 PCOs, CO, Feeding Agreement and related correspondence (appears to be original/first agreement). Internal correspondence addressing investment scheme.	July 7, 2022	April 25, 2023
286-290	Michael Evans	\$200,812.14	Payment to MFY (for claim amount). Bill Table (Total Cost is the investment amount/claim amount)	February 8, 2023	April 27, 2023

Demonstrative for RAF's Motion for Partial Summary Judgment dated 9-24-24

Appendix Pages	Subject Defendants	Claim(s) Amount*	Documentation	"Sale" Date(s)	Claim Date
291-304	Charles, Cole, Nikki, and/or Sherle Lockwood	\$655,789.90	2 Feeding Agreements, 2 Invoices <i>from</i> MFY, 2 PCOs, 2 COs. 2 bad checks from MFI.	April 5, 2023	April 24, 2023
305-396	Janet VanBuskirk	\$484,475.35	2 Feeding Agreements, Bill Table, 3 PCOs, 2 COs, 2 Invoices <i>from</i> MFY. Bad check from MFI of 4-3-23. 5 payment documents <i>to</i> MFY for investment/purchase.	December 20, 2022 March 1, 2023 April 3, 2023	April 28, 2023
	Lyndal VanBuskirk	\$4,766,092.78	15 Feeding Agreements, 12 PCOs, 4 COs, 2 Bill Tables, 12 Invoices <i>from</i> MFY, Payments <i>to</i> MFY for investment/purchase. 2 bad checks from MFI.	Feb. 28, 2023; March 17, 21, 22, 24, 2023; April 5, 2023.	April 28, 2023
	Susan and Colby VanBuskirk	\$601,206.21	4 Feeding Agreements, 4 PCOs, 4 Invoices <i>from</i> MFY. Payment <i>to</i> MFY for investment/purchase.	March 31, 2023 (4x)	April 28, 202
397-406	Jimmy Greer	\$354,918.73	2 Invoices <i>from</i> MFY; Payments <i>to</i> MFY for investment/purchase. (Claim amount is same as investment amount).	March 30, 2023	Undated
407-414	Dustin Johnson	\$213,446.78	Bill Table. (Dated January 6, 2023)	January 6, 2023	April 2023
415-428	Dora Blackman	\$53,651.36	Letter; Feeding Agreement; PCO.	March 28, 2023	April 26, 2023

Demonstrative for RAF's Motion for Partial Summary Judgment dated 9-24-24

Appendix Pages	Subject Defendants	Claim(s) Amount*	Documentation	"Sale" Date(s)	Claim Date
			Invoice <i>from</i> MFY (same amount as claim amount). Documents showing prior investments. Text messages with B. McClain.		
429-452	Cory Jesko	\$84,504.22	Feeding Agreement of 3/17/20 (probably a typo and was in 2023), Bill Table; Payment <i>to</i> MFY for investment/purchase. Text messages.	No sale date provided.	May 15, 2023
	Dwight Jesko	\$309,548.16	Bill Table, PCO. Payment <i>to</i> MFY for investment/purchase. Text messages.	No sale date provided.	May 17, 2023
453-458	Angie Robinson	\$200,729.43	Invoice <i>from</i> MFY to Ms. Robinson for investment/purchase amount. (Claim date and amount same as Invoice.) Payment <i>to</i> MFY for investment/purchase.	March 21, 2023	May 8, 2023
459-496	Curtis Jones Farms	\$2,208,532.93	5 Invoices <i>from</i> MFY to Curt Jones. Bad check from MFL. (handwriting).	April 6, 2023 (bad check).	April 26, 2023
	Don Jones Farm, Inc.	\$7,673,566.08	12 Invoices from MFY to Don Jones. Bad check from MFL. (handwriting).	April 6, 2023	April 26, 2023
	Don Jones Trucking, Inc.	\$1,250,833.14	4 Invoices from MFY to Don Jones.		April 26, 2023

Demonstrative for RAF's Motion for Partial Summary Judgment dated 9-24-24

Appendix Pages	Subject Defendants	Claim(s) Amount*	Documentation	"Sale" Date(s) (investment dates) (investment date)	Claim Date
	Kinsey Jones	\$353,831.49	Invoice from MFY to Curt and Kinsey Jones.	(investment dates) (investment date)	April 26, 2023
497-508	Hines Cattle Company, LLC Hines Farms, LLC	\$297,963.18 \$307,963.19	2 Notices, each alleging six investments from August 2 to October 10, 2022. Settlement Sheets and returned checks. Correspondence from S. Hines to B. McClain and MFI.	April 5, 2023	April 21, 2023
509-565	Thorlakson Diamond T Feeders, LP	\$9,997,067.88	Table showing Lot ID, Arrival Date, Sex, Head In, Weight, and Cost. 17 Feeding Agreements, 15 Bill Tables, 13 Invoices <i>from</i> MFY. MFY Thorlakson Inventory Table.	Not provided "We are not certain about the disposition of these cattle at this time."	April 26, 2023

*The "Claim(s) Amount" listed for the Subject Defendants is the claim amount contained in the USDA Workbook. (App. 719-31.)

The **USDA Report** can be found at **App. 566-731**.

RECEIVED
Apr 24, 2023

By Zachary Reding
USDA, AMS, FTHP, PSD
WESTERN REGIONAL OFFICE

DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT

April ~~24~~ 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittan Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase

Amount Owed

4-14-2023	196,206.34
6-01-2023	204,450.43

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check

Date of Check

Amount of Check

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets

include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: _____

Title: _____

Printed Name: _____

Company Name: _____

Address: _____

Telephone Number: _____

Email: _____

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

RECEIVED
Apr 24, 2023

By Zachary Reding
USDA, AMS, FTTP, PSD
WESTERN REGIONAL OFFICE



For Bank Use Only - Taxpayer Identification Number

4114

For Bank Use Only - Account Number

4864

Type

D



P.O. Box 189
Claremore, OK 74018-0189
MEMBER FDIC

DATE / TIME: 12/13/2022 8:10:17 AM

Cutoff time: Domestic 2:00 pm CST

Foreign 1:00 pm CST

WIRE TRANSFER FORM

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY - ATTACH ALL SUPPORTING DOCUMENTATION AND RETAIN FOR FIVE YEARS.

Request received: In Person

EXECUTION DATE 12/13/2022 8:10:17 AM
(if different from date requested)

AMOUNT OF TRANSFER: \$ 150703.19
(Must be Collected Funds)

☐ Foreign Wire

Wire Fee: \$ 7.50

ORIGINATOR'S INFORMATION:

RCB Bank Account Number: 4864
Name: Dennis Lee Buss
Taxpayer Identification Number: 4114
Street Address (Cannot Use P.O. Box): 403 E Grand Ave
City, State, Zip Code: Tonkawa OK 746533540
Photo Identification: Driver's License
(for in person requests only) Issuer: OK Number: 8652

BENEFICIARY INFORMATION:

Beneficiary Account Number: 0197
Beneficiary's Name: Modlain Feed Yard Inc
Street Address (Cannot Use P.O. Box): 824 Mullins Lane
City, State, Zip Code: Benton, KY 42025
Intermediary Bank (if known): ABA
Name-City-State-Zip-Country
Beneficiary Bank: ABA 122238420
Name of Bank: Merck Bk Walnut Cr
Address-City-State-Zip-Country

ORIGINATOR TO BENEFICIARY INFORMATION:

158 hrs @ 581.70lbs @ \$1,6397/lb: \$150,703.19

Collected Balance: \$36,461.12

\$187,164.31 Buss

Callback Information:

Callback Phone Number:
Person Spoke with:
Validation Questions: of 6 answered correctly

Originator authorizes the release of information to any third party used in executing the payment order and completing the transaction.

Originator assumes full responsibility for the funds transferred and warrants the transaction does not violate anti-money laundering regulations, Office of Foreign Assets Control (OFAC) rules, or other laws. Originator also understands that RCB Bank has an obligation to assist in the enforcement of these statutes and must take appropriate actions if there is reason to believe a transaction may violate any laws.

CUSTOMER'S SIGNATURE

jittemann@BankRCB.net
EMPLOYEE ACCEPTING

EMPLOYEE POSTING

Wire Approved Electronically

APPROVING OFFICER

Revised 1/2019 RCB Wire Transfer Form (JBA/EVF P/B)

BENEFICIARY INFORMATION:

Beneficiary Account Number:

0197

Beneficiary's Name:

MCCLAIN FEED YARD INC

Street Address (Cannot Use P.O. Box):

824 MULLINS LANE

City, State, Zip Code:

BENTON, KY 42025

Intermediary Bank (if known):

ABA

Name-City-State-Zip-Country

Beneficiary Bank:

ABA 122238420

Name of Bank

MERCH BK WALNUT CR

Address-City-State-Zip-Country

PROJECTED CLOSE OUT

HEAD	158
COST	150703.19
BOUGHT WEIGHT	91909
\$ SOLD	196206.34
SELL WEIGHT	122450
COST/GAIN	29013.95
LBS GAINED	30541
PROFIT	16489.2



R001477 - RCB Wire Transfer Form (F)

For Bank Use Only - Taxpayer Identification Number

For Bank Use Only - Account Number

Type

4114

4864

D

RCB
BANK

P.O. Box 189
Claremore, OK 74018-0189
MEMBER FDIC

DATE / TIME: 2/8/2023 8:13:49 AM

Cutoff time: Domestic 2:00 pm CST

Foreign 1:00 pm CST

WIRE TRANSFER FORM

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY - ATTACH ALL SUPPORTING DOCUMENTATION AND RETAIN FOR FIVE YEARS.

Request received: In Person

EXECUTION DATE 2/8/2023 8:13:49 AM
(if different from date requested)

AMOUNT OF TRANSFER: \$ 158170.34
(Must be Collected Funds)

☐ Foreign Wire

Wire Fee: \$ 7.50

ORIGINATOR'S INFORMATION:

RCB Bank Account Number: 4864
Name: Dennis Lee Buss
Taxpayer Identification Number: 4114
Street Address (Cannot Use P.O. Box): 403 E Grand Ave
City, State, Zip Code: Tonkawa OK 746533540
Photo Identification: Driver's License
(for in person requests only) Issuer: OK Number: 6652

BENEFICIARY INFORMATION:

Beneficiary Account Number: 0197
Beneficiary's Name: Mcclain Feed Yard INC
Street Address (Cannot Use P.O. Box): 824 Mullins Lane
City, State, Zip Code: Benton, KY 42025
Intermediary Bank (if known): ABA
Name-City-State-Zip-Country: _____
Beneficiary Bank: ABA 122238420
Name of Bank: Merch BK Walnut Cr
Address-City-State-Zip-Country: _____

ORIGINATOR TO BENEFICIARY INFORMATION:

161 hrs @ 584.60lbs @ \$1.6805/lb: \$158,170.34

Collected Balance: \$218,502.91

Callback Information:

Callback Phone Number: _____
Person Spoke with: _____
Validation Questions: of 6 answered correctly

Originator authorizes the release of information to any third party used in executing the payment order and completing the transaction.

Originator assumes full responsibility for the funds transferred and warrants the transaction does not violate anti-money laundering regulations, Office of Foreign Assets Control (OFAC) rules, or other laws. Originator also understands that RCB Bank has an obligation to assist in the enforcement of these statutes and must take appropriate actions if there is reason to believe a transaction may violate any laws.


CUSTOMER'S SIGNATURE

itemann@BankRCB.net
EMPLOYEE ACCEPTING

EMPLOYEE POSTING

Wire Approved Electronically

APPROVING OFFICER

Revised 2/2019 RCB Wire Transfer Form (JHE/BWF Fill)

BENEFICIARY INFORMATION:

Beneficiary Account Number:

0197

Beneficiary's Name:

MCCLAIN FEED YARD INC

Street Address (Cannot Use P.O. Box):

824 MULLINS LANE

City, State, Zip Code:

BENTON, KY 42025

Intermediary Bank (if known):

ABA

Name-City-State-Zip-Country

Beneficiary Bank:

ABA 122238420

Name of Bank

MERCH BK WALNUT CR

Address-City-State-Zip-Country

2/6/2023

584.60 /bs

PROJECTED CLOSE OUT

HEAD	161
COST	158170.34
BOUGHT WEIGHT	94121
\$ SOLD	204450.43
SELL WEIGHT	124775
COST/GAIN	29121.3
LBS GAINED	30654
PROFIT	17158.79

From: [Dennis L. Buss](#)
To: [Jones, Thomas - MRP-AMS](#)
Subject: [External Email]FW: Supporting documents for Dealer Trust Claim
Date: Tuesday, April 25, 2023 5:06:32 PM
Attachments: [\[Untitled\].pdf](#)

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

This message was sent securely using Zix®

Thomas: Received your email today in reference to the Dealer Trust Claim. Attached are the two Invoices, Projected Close Outs, Wire verifications forwarding the cost of the cattle to McClain Feed Yard inc., per the invoices. The amount stated in the claim is the projected sales numbers stated within the projections. I have feed cattle with the company/Brian McClain since September 2015, basically 8 years.

Please utilize my personal email address per the claim form. This was a faster email to you, as I wanted to get to you today.

Questions, please let me know.

Thank you in advance for your review.

From: PRTB2090 <PRTB2090@rcbbank.bank>
Sent: Tuesday, April 25, 2023 4:52 PM
To: Dennis L. Buss <dennis.buss@rcbbank.bank>
Subject: 04252023



Website: RCBbank.bank

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This message was secured by [Zix®](#).

From: [Dennis Buss](#)
To: [AMS - PSDDesMoinesIA](#)
Subject: [External Email]Fwd: Dealer Trust Notification
Date: Monday, April 24, 2023 4:15:29 PM
Attachments: [\[Untitled\].pdf](#)

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Sent from my iPhone

See attached Dealer Trust Notification. Question, please let me know.

This message was sent securely using Zix®

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This message was secured by [Zix](#)®.

Jones, Thomas - MRP-AMS

From: Reding, Zachary - MRP-AMS
Sent: Monday, April 24, 2023 4:33 PM
To: Meyers, Alexis - MRP-AMS
Cc: Fast, Adam - MRP-AMS; Jones, Thomas - MRP-AMS
Subject: Brian McClain
Attachments: Denn's Buss (OK) Deal Trust Notification.pdf; Steve Ryan (OK) Deal Trust Notification.pdf

Hello,

I attempted to update the sharepoint with the information from the attached documents, but I could only open the file as a read only.

Sincerely,



Zachary J. Reding | Program Assistant

USDA | Agricultural Marketing Service | Fair Trade Practices Program

Packers & Stockyards Division | Western Regional Office

3950 Lewiston Street, Ste. 200

Aurora, CO 80011

Phone: (303) 334-9021 | Fax: 303-371-4609

Email: Zachary.Reding@USDA.gov

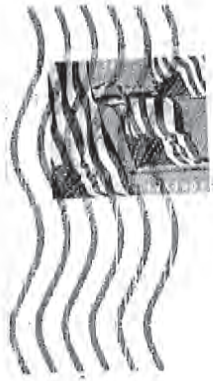
Stay connected with USDA:



USDA Grain Inspection, Packers & Stockyards Administration

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25 APR 2023 PM 1 L

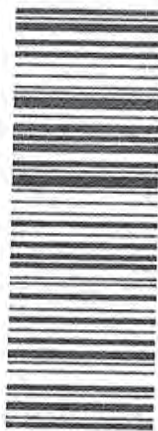
Buss
403 E Grand
Tonkawa OK 74653

Agricultural Marketing Service
Fair Trade Practices Program
Packers and Stockyards Midwestern Division Regional Office
210 Walnut Street Federal Building, Room 317
Des Moines Iowa 50309





Bus
403 E
Tenkan



7015 0640 0006 9443 2197

RETURN RECEIPT
REQUESTED



RDC 21



50309

U.S. POSTAGE PAID
FROM LETTER BOX
BLACKWELL, OK
74631
APR 25, 23
AMOUNT

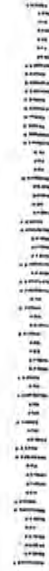
\$8.13

R2304H109814-01

Agricultural Marketing Service
Fair Trade Practices Program
Packers and Stockyards, Midwestern Division Regional Office
210 Walnut Street Federal Building, Room 317
Des Moines Iowa 50309

APR 26 2024
1:08 PM '24
FBI - OK

50309-205199



**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

April __, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase	Amount Owed
4-14-2023	99,851.68
6-06-2023	196,158.82
7-29-2023	92,869.56
7-29-2023	98,630.99

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check	Date of Check	Amount of Check

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets

APR 28 '23 RCVD
USDA: FTFR, PSD, WRO

include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: Edwin D. Buss

Title: Trustee

Printed Name: Edwin D. Buss

Company Name: Buss Family Trust

Address: 2228 Crooked Oak Shawnee, Oklahoma 74804

Telephone Number: 405-590-0718

Email: ELBuss@MBO.net

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

APR 28 '23 RQVD
USDA FTRP PSD MRO

BENTON KY. 42025

BILL TO: BUSS FAMILY TRUST

3/29/2023

[illegible]

Unred 3-30-23

PROJECTED CLOSE OUT

HEAD	69
COST	77654.42
BOUGHT WEIGHT	40296
\$ SOLD	98630.99
SELL WEIGHT	53475
COST/GAIN	12520.05
LBS GAINED	13179
PROFIT	8456.52

BENTON KY. 42025

BILL TO: BUSS FAMILY TRUST

3/29/2023

[illegible]

wired. 3-30-23

PROJECTED CLOSE OUT

HEAD	65
COST	72935.49
BOUGHT WEIGHT	37810
\$ SOLD	92869.56
SELL WEIGHT	50375
COST/GAIN	11936.75
LBS GAINED	12565
PROFIT	7997.32



For Bank Use Only - Taxpayer Identification Number

3693

For Bank Use Only - Account Number

2277

Type

D



P.O. Box 189
Claremore, OK 74018-0189
MEMBER FDIC

DATE / TIME: 3/30/2023 11:57:33 AM

Cutoff time: Domestic 2:00 pm CST

Foreign 1:00 pm CST

WIRE TRANSFER FORM

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY - ATTACH ALL SUPPORTING DOCUMENTATION AND RETAIN FOR FIVE YEARS.

Request received: Email/Fax/Drawdown

EXECUTION DATE 3/30/2023 11:57:33 AM
(If different from date requested)

AMOUNT OF TRANSFER: \$ 150589.91
(Must be Collected Funds)

☐ Foreign Wire

Wire Fee: \$ 15

ORIGINATOR'S INFORMATION:

RCB Bank Account Number: 2277
Name: Edwin Dale Buss
Taxpayer Identification Number: 3693
Street Address (Cannot Use P.O. Box): 2228 Crooked Oak
City, State, Zip Code: Shawnee OK 748040000
Photo Identification: Not in Person
(for in person requests only) Issuer: Number:

BENEFICIARY INFORMATION:

Beneficiary Account Number: 0197
Beneficiary's Name: MCCLAIN FEED YARD INC
Street Address (Cannot Use P.O. Box): 824 MULLINS LANE
City, State, Zip Code: BENTON, KY 42025
Intermediary Bank (if known): ABA
Name-City-State-Zip-Country
Beneficiary Bank: ABA 122238420
Name of Bank: MERCH BK WALNUT CR
Address-City-State-Zip-Country

ORIGINATOR TO BENEFICIARY INFORMATION:

65 H @ 37810 LBS 1.929/LB \$72,935.49; 69 H @ 40296 LBS 1.9271/LB \$77,654.42

Collected Balance: \$162,519.30

Callback Information:

Callback Phone Number: (405)690-0718
Person Spoke with: BAB1606 - Edwin Dale Buss (P)
Validation Questions: 3 of 6 answered correctly

Originator authorizes the release of information to any third party used in executing the payment order and completing the transaction.

Originator assumes full responsibility for the funds transferred and warrants the transaction does not violate anti-money laundering regulations, Office of Foreign Assets Control (OFAC) rules, or other laws. Originator also understands that RCB Bank has an obligation to assist in the enforcement of these statutes and must take appropriate actions if there is reason to believe a transaction may violate any laws.

CUSTOMER'S SIGNATURE

kloucks@BankRCB.net
EMPLOYEE ACCEPTING

EMPLOYEE POSTING

bcollier@BankRCB.net

APPROVING OFFICER

Revised 20019 RCB Wire Transfer Form (inSWP FR)

2/6/2023

mixed 2-6-23

PROJECTED CLOSE OUT

HEAD	154
COST	152210.8
BOUGHT WEIGHT	90537
\$ SOLD	196158.82
SELL WEIGHT	119350
COST/GAIN	27372.35
LBS GAINED	28813
PROFIT	16575.67



For Bank Use Only - Taxpayer Identification Number

For Bank Use Only - Account Number

Type

8693

2277

D



P.O. Box 189
Claremore, OK 74018-0189
MEMBER FDIC

DATE / TIME: 2/8/2023 9:23:33 AM

Cutoff time: Domestic 2:00 pm CST

Foreign 1:00 pm CST

WIRE TRANSFER FORM

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY - ATTACH ALL SUPPORTING DOCUMENTATION AND RETAIN FOR FIVE YEARS.

Request received: Email/Fax/Drawdown

EXECUTION DATE 2/8/2023 9:23:33 AM
(If different from date requested)

AMOUNT OF TRANSFER: \$ 152210.80
(Must be Collected Funds)

☐ Foreign Wire

Wire Fee: \$ 15

ORIGINATOR'S INFORMATION:

RCB Bank Account Number: 2277
Name: Edwin Dale Buss
Taxpayer Identification Number: 8693
Street Address (Cannot Use P.O. Box): 2228 Crooked Oak
City, State, Zip Code: Shawnee OK 748040000
Photo Identification: Not in Person
(for in person requests only) Issuer: Number:

BENEFICIARY INFORMATION:

Beneficiary Account Number: 0197
Beneficiary's Name: MCCLAIN FEED YARD INC
Street Address (Cannot Use P.O. Box): 824 MULLINS LANE
City, State, Zip Code: BENTON KY 42025
Intermediary Bank (if known): ABA
Name-City-State-Zip-Country
Beneficiary Bank: ABA 122238420
Name of Bank: MERCH BK WALNUT CR
Address-City-State-Zip-Country

ORIGINATOR TO BENEFICIARY INFORMATION:

154 HFRS @ 587.90 LBS @ \$1.6812/LB

Collected Balance: \$164,746.32

Callback Information:

Callback Phone Number: (405)590-0718
Person Spoke with: BAB1606 - Edwin Dale Buss (P)
Validation Questions: 3 of 6 answered correctly

Originator authorizes the release of information to any third party used in executing the payment order and completing the transaction.

Originator assumes full responsibility for the funds transferred and warrants the transaction does not violate anti-money laundering regulations, Office of Foreign Assets Control (OFAC) rules, or other laws. Originator also understands that RCB Bank has an obligation to assist in the enforcement of these statutes and must take appropriate actions if there is reason to believe a transaction may violate any laws.

CUSTOMER'S SIGNATURE

rrust@BankRCB.net

EMPLOYEE ACCEPTING

EMPLOYEE POSTING

dmangrum@BankRCB.net

APPROVING OFFICER

Revised 2/2019 RCB Wire Transfer Form (04EW7 F01)

MCCLAIN FEEDYARD

INVOICE

824 MULLINS LANE
BENTON KY 42025

INVOICE #

DATE

11/30/2022

BILL TO

ED BUSS

CUSTOMER ID

TERMS

Due Upon Receipt

DESCRIPTION	QTY	UNIT PRICE	AMOUNT
80 H 47056# @164.25	47056	1.6425	77,289.48

588.20 lbs

11.30.22
Sent ~~12.01.22~~

Thank you for your business!

SUBTOTAL

77,289.48

CHECK OFF

TOTAL

\$

77,289.48

IF YOU HAVE ANY QUESTIONS ABOUT THIS INVOICE, PLEASE CONTACT
MEAGAN GOAD AT 270-703-1295 OR MCCLAINFARMS@GMAIL.COM

PROJECTED CLOSEOUT

HEAD	80
COST	77289.48
BOUGHT WEIGHT	47056
\$ SOLD	99851.68
SELL WEIGHT	62000
COST/GAIN	14196.8
LBS GAINED	14944
PROFIT	8365.4



For Bank Use Only - Taxpayer Identification Number

8693

For Bank Use Only - Account Number

2277

Type

D

**RCB
BANK**

P.O. Box 189
Claremore, OK 74018-0189
MEMBER FDIC

DATE / TIME: 11/30/2022 12:29:17 PM

Cutoff time: Domestic 2:00 pm CST

Foreign 1:00 pm CST

WIRE TRANSFER FORM

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY - ATTACH ALL SUPPORTING DOCUMENTATION AND RETAIN FOR FIVE YEARS.

Request received: Email/Fax/Drawdown

EXECUTION DATE 11/30/2022 12:29:17 PM
(if different from date requested)

AMOUNT OF TRANSFER: \$ 77289.48
(Must be Collected Funds)

☐ Foreign Wire

Wire Fee: \$ 7.50

ORIGINATOR'S INFORMATION:

RCB Bank Account Number: 2277
Name: Edwin Dale Buss
Taxpayer Identification Number: 8693
Street Address (Cannot Use P.O. Box): 2228 Crooked Oak
City, State, Zip Code: Shawnee OK 748040000
Photo Identification: Not In Person
(for in person requests only) Issuer: Number:

BENEFICIARY INFORMATION:

Beneficiary Account Number: 0197
Beneficiary's Name: MCCLAIN FEED YARD
Street Address (Cannot Use P.O. Box): 824 MULLINS LANE
City, State, Zip Code: BENTON KY 42025
Intermediary Bank (if known): ABA
Name-City-State-Zip-Country
Beneficiary Bank: ABA 122238420
Name of Bank: MECH BK WALNUT CR
Address-City-State-Zip-Country

ORIGINATOR TO BENEFICIARY INFORMATION:

80 H 47056# @ 164.25

Collected Balance: \$78,959.18

Callback Information:

Callback Phone Number: (405)590-0718
Person Spoke with: BAB1806 - Edwin Dale Buss (P)
Validation Questions: 3 of 6 answered correctly

Originator authorizes the release of information to any third party used in executing the payment order and completing the transaction.

Originator assumes full responsibility for the funds transferred and warrants the transaction does not violate anti-money laundering regulations, Office of Foreign Assets Control (OFAC) rules, or other laws. Originator also understands that RCB Bank has an obligation to assist in the enforcement of these statutes and must take appropriate actions if there is reason to believe a transaction may violate any laws.

CUSTOMER'S SIGNATURE

eosborne@BankRCB.net

EMPLOYEE ACCEPTING

EMPLOYEE POSTING

mwynn@BankRCB.net

APPROVING OFFICER

Revised 2/2019 RCB Wire Transfer Form (JhaEWY F01)

Buss Family Trust
Edward D. Buss
2228 Crooked Oak
Shawnee, Oklahoma 74804

APR 23 2023
USPS ETS, OK, MO



7022 3330 0000 5690 8220

OF 25



RDC 21



50309

U.S. POSTAGE PAID
FCM LETTER
SHAWNEE, OK
74801
APR 25, 23
AMOUNT
\$8.13
R2305H127929-08

Midwestern Division Regional Office
210 Walnut Street
Federal Building
Room 317
Des Moines, Iowa 50309
50309-211599



OKLAHOMA CITY OK 730
25 APR 2023 PM 6 L

Buss Family Trust
Edwin D. Buss
2228 Crooked Oak
Shawnee, Oklahoma
74804

Midwestern Division Regional Office
210 Walnut Street
Federal Building
Room 317

Des Moines Iowa 50309
50309-211599

MAY 2 '23 RQUD
USDA, FTTP, PSD, WRQ

Jones, Thomas - MRP-AMS

From: Ed Buss <elbuss@mbo.net>
Sent: Monday, May 1, 2023 3:38 PM
To: Jones, Thomas - MRP-AMS
Subject: [External Email]See Attachment. Please confirm that you received this.
Attachments: 2023-05-01_153124.pdf

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

See Attached information for Buss Family Trust. This is the Invoices and Wire Transfers

that would go along with the Dealer Trust Notification.

Thanks,
Buss Family Trust
Edwin D. Buss
405-590-0718
ELBuss@mbo.net

**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

RECEIVED
Apr 27, 2023

By Zachary Reding
USDA, AMS, FTFP, PSD
WESTERN REGIONAL OFFICE

April __, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Britian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase

Amount Owed

4-14-23	282,119.21

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check

Date of Check

Amount of Check

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets

include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: Eddie Bryant

Title: _____

Printed Name: Eddie Bryant

Company Name: _____

Address: 1000 Fox Bend Way Prosper, TX 75078

Telephone Number: 480/861-2866

Email: pressyou@aol.com

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division



November 30, 2022
12:52 PM

Edit



PROJECTED CLOSE OUT

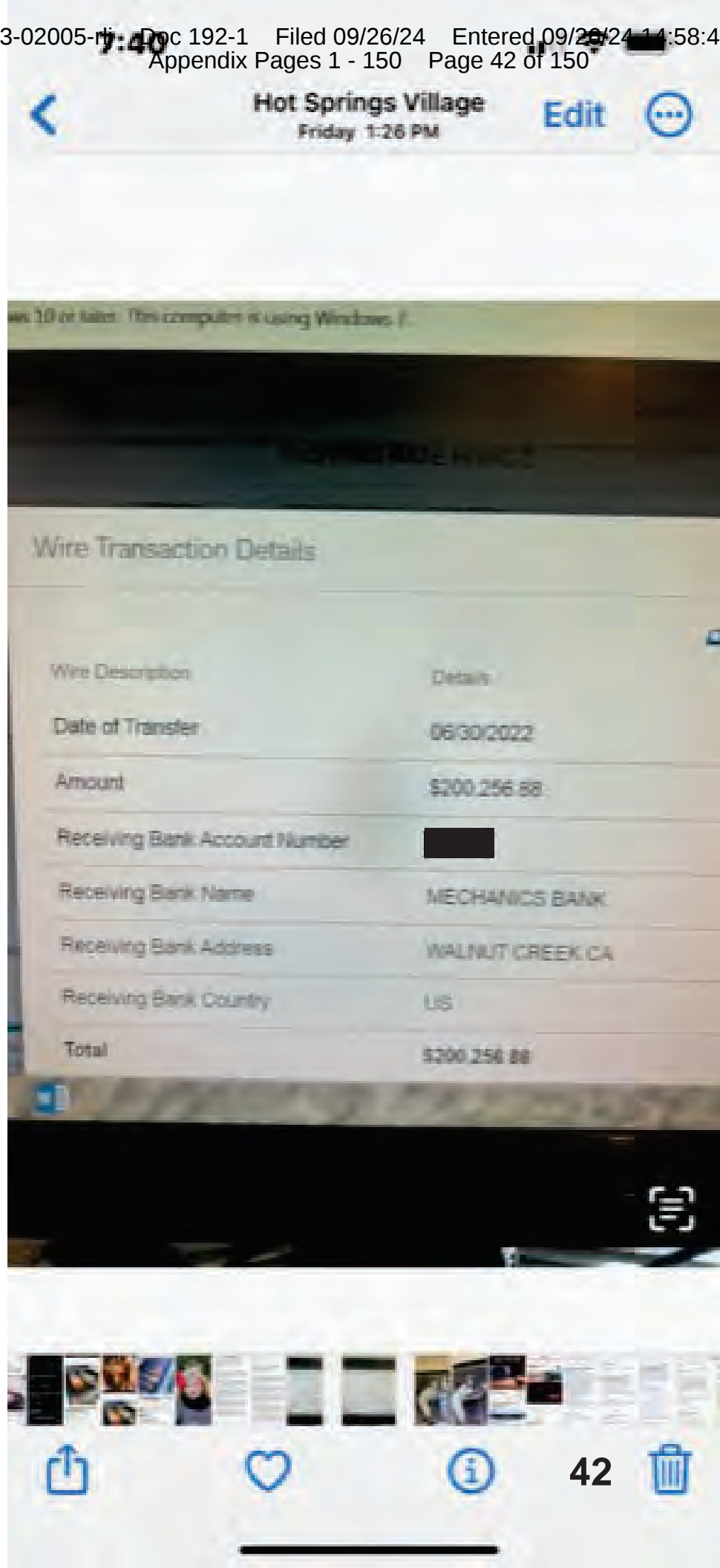
HEAD	230
COST	214820.95
BOUGHT WEIGHT	132035
\$ SOLD	282119.21
SELL WEIGHT	178250
COST/GAIN	43904.25
LBS GAINED	46215
PROFIT	23394.01



40



[illegible]



11-4
3rd way
X75078

HEAVY DUTY MAIL



THE ROCK

CPU

2023

7020 3160 0001 5781 1660



U.S. POSTAGE
\$8.13
FCML RDC
Orig: 72087
Dest: 50309
04/27/23
R2305P149665 2000052483

Midwestern Division Regional Office
210 Walnut Street
Federal Building
Room 317
Des Moines, Iowa 50309

12/28 RCV
STREET
RECEIPT
REQUESTED

50309-211899

Eddie Bryant
1000 Fox Bend Way
Prosper, TX 75078

MAY 2 '28 RCV
USDA, FTRP, PSD, MRO



LITTLE ROCK AR 720
27 APR 2023 PM 4 L

Midwestern Division Regional Office
210 Walnut Street
Federal Building
Room 317
Des Moines, Iowa 50309
50309-211583

Jones, Thomas - MRP-AMS

From: Reding, Zachary - MRP-AMS
Sent: Thursday, April 27, 2023 3:58 PM
To: Meyers, Alexis - MRP-AMS
Cc: Fast, Adam - MRP-AMS; Jones, Thomas - MRP-AMS
Subject: Brian McClain
Attachments: Eddie Bryant (TX) Dealer Trust Notification.pdf

Hello,

Attached is a claim sent to the PSDDenverCO inbox.

Sincerely,



Zachary J. Reding | Program Assistant

USDA | Agricultural Marketing Service | Fair Trade Practices Program

Packers & Stockyards Division | Western Regional Office

3950 Lewiston Street, Ste. 200

Aurora, CO 80011

Phone: (303) 334-9021 | Fax: 303-371-4609

Email: Zachary.Reding@USDA.gov

Stay connected with USDA:



USDA Grain Inspection, Packers & Stockyards Administration

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**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

April _25th_, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase Amount Owed

January 10 th , 2023	\$86,060.72
January 10 th , 2023	\$57,556.04
January 10 th , 2023	\$86,734.23
January 10 th , 2023	\$113,403.08
January 10 th , 2023	\$140,191.86

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check	Date of Check	Amount of Check

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets

APR 26 '23 RCVD
USDA, FTFP, PSD, WRD

include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: Robert Gray Ronnie Gray

Title: Owners

Printed Name: Robert Gray and Ronnie Gray

Company Name: Gray Brothers Cattle

Address 348500 E 3700 Rd Ralston OK 74650-5050

Telephone Number: 918-225-9265

Email: cjchap45@gmail.com

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

APR 26 '23 RCVD
USDA, FTFP, PSD, NRO

MCCLAIN FEEDYARD INC.

824 MULLINS LANE

BENTON KY. 42025

BILL TO: GRAY BROTHERS

1/10/2023

[illegible]

436533.90 total
427 hcl

BENTON KY. 42025

1/10/2023

1

MCCLAIN FEEDYARD INC.
824 MULLINS LANE
BENTON KY. 42025

BILL TO: GRAY BROTHERS

1/10/2023

[illegible]

MCCLAIN FEEDYARD INC.
824 MULLINS LANE
BENTON KY. 42025

BILL TO: GRAY BROTHERS

1/10/2023

[illegible]
$$\begin{array}{r} 76 \\ 77 \\ 51 \\ 100 \\ 123 \\ \hline 427 \end{array}$$

Jones, Thomas - MRP-AMS

From: Cathy Chapman <cjchap45@gmail.com>
Sent: Wednesday, April 26, 2023 10:37 AM
To: reba@ssbtxlaw.com; Jones, Thomas - MRP-AMS; AMS - PSDDesMoinesIA
Subject: [External Email]Fwd:
Attachments: doc00260720230426092728.pdf

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Dear all,

I have attached the Dealer Trust Notification for Gray Brothers and copies of McClain Feedyard receipts. Please contact Bobby Gray at 918-225-9265 if you have any questions.

Thank you,
Cathy

----- Forwarded message -----

From: <pawneecopier@oscn.net>
Date: Wed, Apr 26, 2023, 10:27 AM
Subject:
To: <cjchap45@gmail.com>

TASKalfa 4004i
[00:17:c8:dc:d2:65]

Jones, Thomas - MRP-AMS

From: Cathy Chapman <cjchap45@gmail.com>
Sent: Wednesday, April 26, 2023 8:23 AM
To: Reding, Zachary - MRP-AMS; AMS - PSDDesMoinesIA
Subject: [External Email]Fwd:
Attachments: doc00259620230426070031.pdf

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Please find attached copy of signed document for Gray Brothers as requested. Please let me know if additional information is required.

Thank you,
Cathy

----- Forwarded message -----

From: <pawneecopier@oscn.net>
Date: Wed, Apr 26, 2023, 8:00 AM
Subject:
To: <cjchap45@gmail.com>

TASKalfa 4004i
[00:17:c8:dc:d2:65]

7022 3330 0001 9994 1412

ROBERT GRAY
348500 E 3700 RD
RALSTON, OK 74650



7022 3330 0001 9994 1412



RDC 21



50309

U.S. POSTAGE PAID
FCM LETTER
PAWNEE, OK
74058
APR 25, 23
AMOUNT

\$8.13

R2305H128492-05

PACKERS AND STOCKYARDS MIDWESTERN DIVISION
210 WALNUT STREET
FEDERAL BUILDING ROOM 317
DES MOINES, IOWA 50309

09/26/23 14:00
100 FPP, FLO, REC

50309-211092

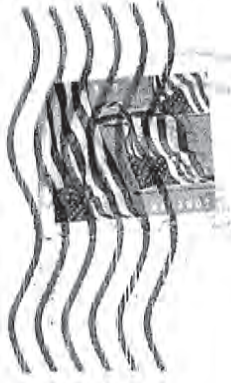


Q&W 05c 3c.L 805A
0408 67.5 18K

ROBERT GRAY
348500 E 3700 RD
RALSTON, OK 74650

TULSA OK 740

25 APR 2023 PM 1 E



PACKERS AND STOCKYARDS MIDWESTERN DIVISION
210 WALNUT STREET
FEDERAL BUILDING ROOM 317
DES MOINES, IOWA 50309

5030982110 C101



RECEIVED
APRIL 25, 2023
USDA, AMS, FTTP,
PACKERS &
STOCKYARDS DIVISION
DES MOINES, IA

**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

April 24, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase	Amount Owed
3/31/2023	259,188.90
7/31/2023	259,193.31

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check	Date of Check	Amount of Check

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets

include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: Amy Sutton Craig Sutton

Title: _____

Printed Name: Amy Sutton Craig Sutton

Company Name: _____

Address: 1546 Cliff Creek Drive, Allen, TX 75002

Telephone Number: 972-658-8151

Email: osutx5@verizon.net

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

RECEIVED
APRIL 25, 2023
USDA, AMS, FTPP,
PACKERS &
STOCKYARDS
DIVISION
DES MOINES, IA

Online Banking

[My Dashboard](#)[Profile & Settings](#)[Saved Items](#)[Log Out](#)[Accounts](#)[Bill Pay](#)[Transfer | Zelle®](#)[Rewards & Deals](#)[Tools & Investing](#)[Security Center](#)[Open an Account](#)[Help & Support](#)

Send a Wire or ACH transfer

[Make Transfer](#)[Transfer Activity](#)[Add Account/Recipient](#)[Manage Accounts/Recipients](#)

Transfer status: Complete

Confirmation Number: 2023031486B7HU3R005841

Transfer Accounts

Accounts

From: Main Checking : Avail. Bal (\$70,072.57)

To: McClain Feedyard (Rabobank NA)

Transfer Details

Send amount

Send amount: \$200,109.56

Additional fee: \$30.00

Transfer description

190H 587.4lbs 1.793pp 200,109.56

Transfer dates

Frequency: One time only

Delivery speed: Same Day

Start on date: 03/14/2023

Estimated delivery date: 03/14/2023

Note: The receiving bank may make funds available later than this.

Quick Help

Use this screen to view your transfer detail.

[What can I do?](#)

If you are viewing a scheduled transfer, you can also edit it by selecting the edit link.

[What do I need to know?](#)[Return to Transfer Activity](#)

Secure Area

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[Share Your Feedback](#)

3/8/2023

1

PROJECTED CLOSE OUT

HEAD	190
COST	200109.56
BOUGHT WEIGHT	111606
\$ SOLD	255913.31
SELL WEIGHT	147250
COST/GAIN	33861.8
LBS GAINED	35644
PROFIT	21941.95

Online Banking

- Accounts
- Bill Pay
- Transfer | Zelle®
- Rewards & Deals
- Tools & Investing
- Security Center
- Open an Account
- Help & Support

Send a Wire or ACH transfer

- Make Transfer
- Transfer Activity
- Add Account/Recipient
- Manage Accounts/Recipients

Transfer status: Complete
Confirmation Number:20221122B6B7HU1R010747

Transfer Accounts

Accounts

From: Main Checking : Avail. Bal (\$70,072.57)

To: McClain Feedyard (Rabobank NA)

Transfer Details

Send amount

Send amount: \$200,000.00

Additional fee: \$30.00

Transfer description

209H 586lbs 163.25pp 200,007.37

Transfer dates

Frequency: One time only

Delivery speed: Same Day

Start on date: 11/22/2022

Estimated delivery date: 11/22/2022

Note:The receiving bank may make funds available later than this.

Return to Transfer Activity

Secure Area

Log Out

- Locations
- Help & Support
- Browse with Specialist
- Privacy
- Security
- Online Banking Service Agreement
- Advertising Practices
- CA Opt-Out Preference Signals Honored

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[Share Your Feedback](#)

INVOICE

824 MULLINS LANE
BENTON KY 42025

DATE _____

11/21/2022

TERMS

Due Upon Receipt

DESCRIPTION	QTY	UNIT PRICE	AMOUNT
209 H 122516# @163.25	122516	1.6325	200,007.37

200,007.37

TOTAL

\$ 200,007.37

IF YOU HAVE ANY QUESTIONS ABOUT THIS INVOICE, PLEASE CONTACT
MEAGAN GOAD AT 270-703-1295 OR MCCLAINFARMS@GMAIL.COM

PROJECTED CLOSEOUT

HEAD	209
COST	200007.37
BOUGHT WEIGHT	122516
\$ SOLD	259188.9
SELL WEIGHT	161975
COST/GAIN	37486.05
LBS GAINED	39459
PROFIT	21695.48

Sutton
1546 Cliff Creek Drive
Allen, TX 75002



7022 2410 0001 8376 1567



PM 99



50309

U.S. POSTAGE PAID
FCM LETTER
ALLEN, TX
75013
APR 25, 23
AMOUNT

\$8.13

R2305K142907-12

Agricultural Marketing Service
Fair Trade Practices Program
Packers and Stockyards Midwestern Division Regional Office
210 Walnut Street
Federal Building, Room 317
Des Moines, IA 50309

5030982110



USA
FOREVER
0102567688

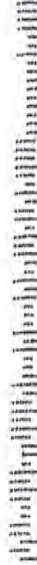


NORTH TEXAS TX P&DC
DALLAS TX 750
25 APR 2023 PM 10 L

Sutton
1546 Cliff Creek Drive
Allen, TX 75002

Agricultural Marketing Service
Fair Trade Practices Program
Packers and Stockyards Midwestern Division Regional Office
210 Walnut Street
Federal Building, Room 317
Des Moines, IA 50309

50309-21092



From: osutx5@verizon.net
To: [AMS - PSDDenverCO](#); [AMS - PSDDesMoinesIA](#)
Subject: [External Email]McClain-Dealer Trust Notification Section 318-Packers & Stockyards Act
Date: Monday, April 24, 2023 10:20:00 PM
Attachments: [2023-04-24_221049.pdf](#)

[External Email]

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RECEIVED
Apr 24, 2023
By Zachary Reding
USDA, AMS, FTHP, PSD
WESTERN REGIONAL OFFICE

**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

April 24, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittan Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase

Amount Owed

4/14/2023

\$ 278,051.⁸⁷/₁₀₀

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check

Date of Check

Amount of Check

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: Steve Ryan

Title: _____

Printed Name: Steve Ryan

Company Name: _____

Address: 4214 TOPAZ CIR YUKON, OK 73099

Telephone Number: 405-637-2323

Email: SRyan1956@yahoo.com

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

RECEIVED
Apr 24, 2023

By Zachary Reding
USDA, AMS, FTTP, PSD
WESTERN REGIONAL OFFICE

BILL TO: STEVE RYAN

Head	weight	Price/lb.
HEAD	SEX	WEIGHT
		PRICE/LB TO

150,818.02

PROJECTED CLOSE-OUT

HEAD	— 159
COST	
BOUGHT WEIGHT	
# SOLD	
SELL WEIGHT	
COST/GAIN	
LBS GAINED	
PROFIT	

Bought 12-07-22
HERD #1

Head	150 159
Cost	150,818.02
Bought weight	92,697
# Sold	195,263.52
Sell weight	123,225
Cost/Gain	29001.6
Lbs. gained	30,528 30,528
Profit	15,443.9

Projected
Close-out

Cost	150,818.02
profit	<u>15,443.90</u>
Total	166,261.92

BILL TO: STEVE RYAN

12/26/24 Entered 09/26/24 14:58:44 Desc
150 Page 72 of 150
INVOICE for 106 Head
OF CATTLE

100,791.05

PROJECTED CLOSE OUT

HEAD	106
COST	100,791.05
BUGHT WEIGHT	42,010
# SOLD	130,922.95
SELL WEIGHT	82,150
COST/GAIN	19,133
LBS GAINED	20,140
PROFIT	10,998.9

Bought 12-04-22
HERD #2
Head 106
Cost 100,791.05
Bought weight 42,010
Sold 130,922.95
Sell weight 82,150
Cost/Gain 19,133
Lbs. Gained 20,140
Profit 10,998.9

Projected
Close-out
Cost 100,791.05
profit 10,998.90
Total 111,789.95



For Bank Use Only - Taxpayer Identification Number

For Bank Use Only - Account Number

Type

3470

1767

D

P.O. Box 189
Claremore, OK 74018-0189
MEMBER FDIC

DATE / TIME: 12/8/2022 11:27:22 AM

Cutoff time: Domestic 2:00 pm CST

Foreign 1:00 pm CST

WIRE TRANSFER FORM

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY - ATTACH ALL SUPPORTING DOCUMENTATION AND RETAIN FOR FIVE YEARS.

Request received: Email/Fax/Drawdown

EXECUTION DATE 12/8/2022 11:27:22 AM
(if different from date requested)AMOUNT OF TRANSFER: \$ 251609.07
(Must be Collected Funds)☐ Foreign Wire

Wire Fee: \$ 15

ORIGINATOR'S INFORMATION:RCB Bank Account Number: 1767
Name: Steven Leon Ryan
Taxpayer Identification Number: 3470
Street Address (Cannot Use P.O. Box): 4214 Topaz Cir
City, State, Zip Code: Yukon OK 730990710
Photo Identification: Not In Person
(for in person requests only) Issuer: Number:**BENEFICIARY INFORMATION:**Beneficiary Account Number: 0197
Beneficiary's Name: MCCLAIN FEED YARD INC
Street Address (Cannot Use P.O. Box): 824 MULLINS LANE
City, State, Zip Code: BENTON, KY 42025
Intermediary Bank (if known): ABA
Name-City-State-Zip-Country
Beneficiary Bank: ABA 122238420
Name of Bank MERCH BK WALNUT CR
Address-City-State-Zip-Country**ORIGINATOR TO BENEFICIARY INFORMATION:**159 HEIFERS @ 584.69 LBS @ 1.627/LB: \$150,818.02 ACCT # 1767, 106 HEIFERS @ 585 LBS @ 1.6254/LB:
\$100,791.05 ACCT# 1767

Collected Balance: \$310,768.36

Callback Information:Callback Phone Number: (405)637-2323
Person Spoke with: RAA7197 - Steven Leon Ryan (P)
Validation Questions: 3 of 6 answered correctly

Originator authorizes the release of information to any third party used in executing the payment order and completing the transaction.

Originator assumes full responsibility for the funds transferred and warrants the transaction does not violate anti-money laundering regulations, Office of Foreign Assets Control (OFAC) rules, or other laws. Originator also understands that RCB Bank has an obligation to assist in the enforcement of these statutes and must take appropriate actions if there is reason to believe a transaction may violate any laws.

csavov@BankRCB.net

CUSTOMER'S SIGNATURE

EMPLOYEE ACCEPTING

EMPLOYEE POSTING

dbuss@BankRCB.net

APPROVING OFFICER

Revised 3/2019 RCB Wire Transfer Form (JAEWF F03)

Jones, Thomas - MRP-AMS

From: Robert spring <Robert@springoc.com>
Sent: Wednesday, April 26, 2023 3:56 PM
To: Jones, Thomas - MRP-AMS; Jones, Thomas - MRP-AMS
Subject: [External Email]FW: McClain Farms Trust Claim
Attachments: McClain Feedyard -Additional Documentation for Robert J. Spring.pdf

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Good afternoon,

Here is Robert J. Spring's supporting documentation for the McClain Farms Trust Claim:

Copy of Check from Robert J. Spring to MCLAIN FEEDYARD, INC.	(Pages 1 and 2)
Invoice from MCLAIN FEEDYARD, INC.	(Pages 3 and 4)
Cattle Feeding Agreement between Robert J. Spring to MCLAIN FEEDYARD, INC.	(Pages 5 thru 7)
Bills of Sale/ Proof of Sale	(Page 8)
MCLAIN FEEDYARD, INC. rolls over initial Robert J. Spring's Investment	(Page 9 thru 11)

Please let me know if you have any questions. Thank you for your prompt response to this matter.

Thank you,
Robert J. Spring

From: Jones, Thomas - MRP-AMS
Sent: Wednesday, April 26, 2023 8:24 AM
To: Robert spring <Robert@springoc.com>
Subject: McClain Farms Trust Claim

Hello Robert,

I received your Dealer Trust Claim for \$149,812.73 for a claim in July 2022. However, the claim did not have any supporting documentation. Please provide any supporting documentation, such as contracts, invoices, agreements, bills of sale, etc. to show proof of sale. Any documentation that you provide will help in the investigation process to determine legitimate claims on the trust assets.

Please let me know if you have any questions in this regard.

Thank you,

Thomas Jones, Auditor

USDA | Agricultural Marketing Service | Fair Trade Practices Program
Packers & Stockyards Division | Midwestern Regional Office
210 Walnut Street, Rm 317, Des Moines, IA 50309
Phone: (515) 323-2507 | Mobile: (515) 344-2192
FAX: (515) 323-2590 | Email: Thomas.J.Jones@usda.gov

Jones, Thomas - MRP-AMS

From: Reding, Zachary - MRP-AMS
Sent: Monday, April 24, 2023 4:33 PM
To: Meyers, Alexis - MRP-AMS
Cc: Fast, Adam - MRP-AMS; Jones, Thomas - MRP-AMS
Subject: Brian McClain
Attachments: Denn's Buss (OK) Deal Trust Notification.pdf; Steve Ryan (OK) Deal Trust Notification.pdf

Hello,

I attempted to update the sharepoint with the information from the attached documents, but I could only open the file as a read only.

Sincerely,



Zachary J. Reding | Program Assistant

USDA | Agricultural Marketing Service | Fair Trade Practices Program

Packers & Stockyards Division | Western Regional Office

3950 Lewiston Street, Ste. 200

Aurora, CO 80011

Phone: (303) 334-9021 | Fax: 303-371-4609

Email: Zachary.Reding@USDA.gov

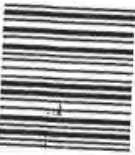
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USDA Grain Inspection, Packers & Stockyards Administration

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Dyan
1214 Topaz Circle
Waukegan, IL 60099



7022 2410 0001 6430 3250

RDG 21

50309

U.S. POSTAGE PAID
FCM LETTER
MUSTANG, OK
73064
APR 25, 23
AMOUNT

\$4.78

R2304H109497-25

Midwesters Division Regional Office
210 Walnut Street
Federal Building
Room 317
New Mexico, IA 50309

APR 23 12:23 PM
USDA, FWP, PSS, WRD

503092115 C101

APRIL 25, 2023
USDA, AMS, FTPP,
PACKERS &
STOCKYARDS DIVISION
DES MOINES, IA

**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

April 24, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase

Amount Owed

07/26/2023	189,965.10

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check

Date of Check

Amount of Check

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets

include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: Janice E. Lawhon
Janice E. Lawhon
Title: Owner

Printed Name: Janice E. Lawhon

Company Name: Owner

Address: 912 S. 1st, Blackwell, OK 74631

Telephone Number: 405-747-4193

Email: janicelawhon@yahoo.com

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

RECEIVED
APRIL 25, 2023
USDA, AMS, FTPP,
PACKERS &
STOCKYARDS DIVISION
DES MOINES, IA



For Bank Use Only - Taxpayer Identification Number

For Bank Use Only - Account Number

Type

3348

4651

D



P.O. Box 189
Claremore, OK 74018-0189
MEMBER FDIC

DATE / TIME: 3/30/2023 8:45:58 AM

Cutoff time: Domestic 2:00 pm CST

Foreign 1:00 pm CST

WIRE TRANSFER FORM

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY - ATTACH ALL SUPPORTING DOCUMENTATION AND RETAIN FOR FIVE YEARS.

Request received: In Person

EXECUTION DATE 3/30/2023 8:45:58 AM

(if different from date requested)

AMOUNT OF TRANSFER:

\$ 149488.75

(Must be Collected Funds)

☐ Foreign Wire

Wire Fee:

\$ 7.50

ORIGINATOR'S INFORMATION:

RCB Bank Account Number:

4651

Name:

Janice E Lawhon

Taxpayer Identification Number:

3348

Street Address (Cannot Use P.O. Box): 912 S 1st St

City, State, Zip Code:

Blackwell OK 746314309

Photo Identification:

Driver's License

(for in person requests only)

Issuer: OK

Number: 1606

BENEFICIARY INFORMATION:

Beneficiary Account Number:

0197

Beneficiary's Name:

Mcclain Feedyard Inc

Street Address (Cannot Use P.O. Box): 824 Mullins Lane

City, State, Zip Code:

Benton, KY 42025

Intermediary Bank (if known): ABA

Name-City-State-Zip-Country

Beneficiary Bank:

ABA 122238420

Name of Bank Merck BK Walnut CR

Address-City-State-Zip-Country

ORIGINATOR TO BENEFICIARY INFORMATION:

Janice Lawhon 133 Heffers

Collected Balance: \$567,412.81

Callback Information:

Callback Phone Number:

Person Spoke with:

Validation Questions: of 6 answered correctly

Originator authorizes the release of information to any third party used in executing the payment order and completing the transaction.

Originator assumes full responsibility for the funds transferred and warrants the transaction does not violate anti-money laundering regulations, Office of Foreign Assets Control (OFAC) rules, or other laws. Originator also understands that RCB Bank has an obligation to assist in the enforcement of these statutes and must take appropriate actions if there is reason to believe a transaction may violate any laws.

CUSTOMER'S SIGNATURE

jtiemann@BankRCB.net

EMPLOYEE ACCEPTING

EMPLOYEE POSTING

Wire Approved Electronically

APPROVING OFFICER

Janice
Lawhon

BILL TO: JANICE LOWHON

3/29/2023

82

1 Seught 3-24-23

Janice
Lawh

PROJECTED CLOSE OUT

McClain Feedyard Inc.
824 Mullins Lane
Benton, KY 42025

HEAD	133
COST	149488.75
BOUGHT WEIGHT	77592
\$ SOLD	189965.1
SELL WEIGHT	103075
COST/GAIN	24208.85
LBS GAINED	25483
PROFIT	16267.5

From: [Janice E. Lawhon](#)
To: [Jones, Thomas - MRP-AMS](#)
Subject: [External Email]Janice E. Lawhon
Date: Wednesday, April 26, 2023 1:09:46 PM
Attachments: [Dealer Trust Notification, Section 318-Packers & Stockyards Act FOR JANICE E. LAWHON.docx](#)

[External Email]

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Our scanning has been down due to internet problems so I am sending pictures of my Dealer Trust Notification form and all of my documentation as you requested. If you need me to send again when our scanner is back up I will be glad to do so.

Since we are having internet issues please let me know that this was received.

Thank you!

Janice E. Lawhon

Asst. Vice-President
NMLS# 799307

1350 West Doolin
P. O. Box 849
Blackwell, OK 74631
Office: 580-363-7074
Fax: 580-363-9904
Email: janice.lawhon@RCBbank.bank



Website: RCBbank.bank

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From: [Janice E. Lawhon](#)
To: PSDDDenverCO@usda.gov
Cc: [AMS - PSDDesMoinesIA](#)
Subject: [External Email]FW: 04252023
Date: Tuesday, April 25, 2023 3:44:31 PM
Attachments: [\[Untitled\].pdf](#)

[External Email]

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This message was sent securely using Zix®

Attached find a Dealer Trust Notification, Section 318-Packers & Stockyards Act.

Janice Lawhon – MOBILE # 405-747-4193

Janice E. Lawhon

Asst. Vice-President
NMLS# 799307

1350 West Doolin
P. O. Box 849
Blackwell, OK 74631
Office: 580-363-7074
Fax: 580-363-9904
Email: janice.lawhon@RCBbank.bank

From: PRTB2090 <PRTB2090@rcbbank.bank>
Sent: Tuesday, April 25, 2023 3:38 PM
To: Janice E. Lawhon <janice.lawhon@rcbbank.bank>
Subject: 04252023



Website: RCBbank.bank

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This message was secured by [Zix®](#).



RDC 21



50309

U.S. POSTAGE PAID
FCM LETTER
BLACKWELL, OK
74631
APR 25, 23
AMOUNT

\$8.13

R2304H109814-01

Midwestern Division Regional Office
210 Walnut Street
Federal Building, Room 317
Des Moines, Iowa 50309



30089221092

CERTIFIED MAIL



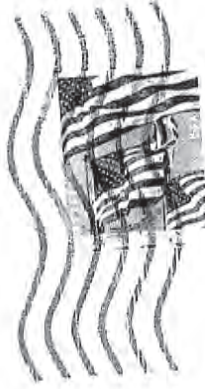
7015 0640 0006 9443 2111

Janice E. Lawhon
912 S 1st St
Blackwell, OK 74631-4309

RETURN RECEIPT
REQUESTED



Janice E. Lawhon
912 S. 1st
Blackwell, Ok 74631



TULSA OK 740

25 APR 2023 PM 7:40

Midwestern Division Regional
Office
210 Walnut Street
Federal Building, Room 317
Des Moines, Iowa 50309



ED0309-211092

**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

May 3, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

Mechanics Bank f/k/a Rabobank, N.A.
1111 Civic Dr
Walnut Creek, California 94596

Rabo AgriFinance LLC
14767 N Outer 40 Rd #400
Chesterfield, MO 63017

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase	Amount Owed
1-6-2023	\$ 366,054.17

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check	Date of Check	Amount of Check
McClain Farms, Inc.	1-6-2023	\$ 26,997.32

RECEIVED
May 3, 2023
USDA, AMS, FFTP,
PACKERS & STOCKYARDS
DIVISION
DES MOINES, IA

--	--	--

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: A.J. Jacques

Title: Trustee

Printed Name: A.J. Jacques

Company Name: A.J. Jacques Living Trust

Address: 4025 W. Deer Crossing Dr. Stillwater, OK. 74074

Telephone Number: 817-368-2266

Email: aj@atlasdrilling.com

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

RECEIVED
May 3, 2023
USDA, AMS, FTTP,
PACKERS & STOCKYARDS
DIVISION
DES MOINES, IA

Cattle Feeding Agreement

Dated 7/12/2022

This agreement exists to identify the partnership of McClain Feedyard and AJ JACQUES LIVING TRUST whom are involved in a cattle feeding arrangement. The arrangement allows for AJ JACQUES LIVING TRUST to purchase the calves from McClain Feedyard in total. At the time of purchase the cattle have also been contracted for sale, at a pre-determined price, after pounds have been added to the cattle through McClain Feedyard feeding them at McClain Feedyard, Friona, TX. McClain Feedyard fattens the cattle by certain feed and ingredients that McClain Feedyard provides at its expense. McClain Feedyard is also responsible for providing processing, medicine, yardage, and trucking at its expense.

As the fattened cattle are delivered, McClain Feedyard will distribute the profit as follows:

Sales price of fattened cattle

Minus

Cost stated above that McClain Feedyard incurs

Minus

Original cost of calves, returned to AJ JACQUES LIVING TRUST

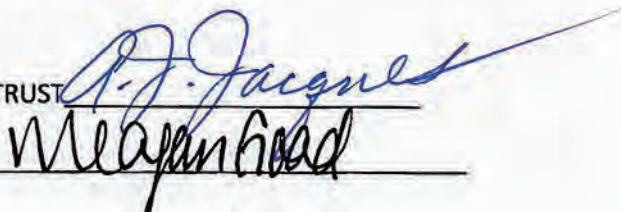
Equals profit

Profit divided 1/3 McClain Feedyard and 2/3 AJ JACQUES LIVING TRUST

This agreement is for 175 head of steers at a total weight of 103145 lbs at a price of 1.773 per pound. Total cost for this group of cattle is \$182,876.09 which AJ JACQUES LIVING TRUST has paid to McClain Feedyard. Sales contract for 1.7238 @ 775.

AJ JACQUES LIVING TRUST

McClain Feedyard

The block contains two handwritten signatures in blue ink. The first signature, for AJ Jacques, is written over a horizontal line and is quite stylized. The second signature, for McClain Feedyard, is also written over a horizontal line and is more legible, appearing to read 'McClain Feedyard'.

MCCLAIN FEEDYARD INC.
824 MULLINS LANE
BENTON KY. 42025

BILL TO: A.J. JACQUES

LIVING TRUST DATED

APRIL 21, 2000 AS AMENDED

AND RESTARTED

7/12/2022

[illegible]

PROJECTED CLOSE OUT

HEAD	175
COST	182876.09
BOUGHT WEIGHT	103145
\$ SOLD	233784.44
SELL WEIGHT	135625
COST/GAIN	30856
LBS GAINED	32480
PROFIT	20052.35 SPLIT

CLOSE OUT

HEAD	171
COST	182876.09
BOUGHT WEIGHT	103145
\$ SOLD	230,038.52
SELL WEIGHT	134235
COST/GAIN	27,034.77
PROFIT	20,127.66

Wire for 13418⁹⁴

Cattle Feeding Agreement

Dated 7/12/2022

This agreement exists to identify the partnership of McClain Feedyard and AJ JACQUES LIVING TRUST whom are involved in a cattle feeding arrangement. The arrangement allows for AJ JACQUES LIVING TRUST to purchase the calves from McClain Feedyard in total. At the time of purchase the cattle have also been contracted for sale, at a pre-determined price, after pounds have been added to the cattle through McClain Feedyard feeding them at McClain Feedyard, Friona, TX. McClain Feedyard fattens the cattle by certain feed and ingredients that McClain Feedyard provides at its expense. McClain Feedyard is also responsible for providing processing, medicine, yardage, and trucking at its expense.

As the fattened cattle are delivered, McClain Feedyard will distribute the profit as follows:

Sales price of fattened cattle

Minus

Cost stated above that McClain Feedyard incurs

Minus

Original cost of calves, returned to AJ JACQUES LIVING TRUST

Equals profit

Profit divided 1/3 McClain Feedyard and 2/3 AJ JACQUES LIVING TRUST

This agreement is for 174 head of steers at a total weight of 102834 lbs at a price of 1.776 per pound. Total cost for this group of cattle is \$182,633.18 which AJ JACQUES LIVING TRUST has paid to McClain Feedyard. Sales contract for 1.7294 @ 775.

AJ JACQUES LIVING TRUST

McClain Feedyard

MCCLAIN FEEDYARD INC.
824 MULLINS LANE
BENTON KY. 42025

BILL TO: A.J. JACQUES

7/12/2022

LIVING TRUST DATED

APRIL 21, 2000 AS AMENDED

AND RESTARTED

[illegible]

PROJECTED CLOSE OUT

HEAD	174
COST	182633.18
BOUGHT WEIGHT	102834
\$ SOLD	233211.06
SELL WEIGHT	134850
COST/GAIN	30415.2
LBS GAINED	32016
PROFIT	20162.68 SPLIT

CLOSE OUT

HEAD	170
COST	182633.18
BOUGHT WEIGHT	102834
\$ SOLD	228,695.18
SELL WEIGHT	132770
COST/GAIN	25,693.68
PROFIT	20,368.32

wire for 13578 88

Wire Transfer Outgoing Request



Wire Transfer Sender Information

Sender Name: ARTHUR JACQUES III				
Account Name: A J JACQUES OR SUSAN P JACQUES JAWROS		Street Address: 4025 W DEER CROSSING DR		
City: STILLWATER	State: OK	Zip: 74074-7643	Country: USA	Daytime Phone: 817-368-2266
Primary ID Type: Driver's License	ID Issuer: OK	ID Number: [REDACTED] 7936	ID Issue Date: 03/30/2021	ID Exp: 11/30/2023
Secondary ID Type: Chase or Bank Issued Credit/Debit Card	ID Issuer: Chase	ID Number: XXXXXXXXXXXX0506	ID Issue Date:	ID Exp: 01/31/2027
Comments:				

Wire Transfer Information

Request Date: 07/12/2022	Request time: 02:16:54PM Eastern time	Effective date: 07/12/2022	Wire Type: Domestic
Debit Account #: XXXXX0871	Debit Account Type: PRIV CLIENT CKG PLUS	Wire Amount (US dollars): \$365,509.27	
Qualifying Account #:	Qualifying Account Type:	Source of funds: Checking	Wire Fee: \$0
Currency type to be sent: US Dollars	Exchange rate: N/A	Foreign currency amount: N/A	Amount to Collect (USD): \$365,509.27
FX Contract Number:			

Recipient Account Information

Account Name: McClain Farms			
Street Address:		Account Number: [REDACTED] 3786	
City:	State:	Zip:	Country:
Text to Recipient:			

Receiving Bank Information

Bank Name: Community Financial Services Bank			
Street Address: 221 W 5th St		Bank ABA/SWIFT Code: 083903328	
City: Benton	State: KY	Zip: 42025-1135	Country: USA
Intermediary Bank Name:			
Street Address:		Intermediary Bank ABA:	
City:	State:	Zip:	Country:
Text to Receiving Bank:			

PROJECTED CLOSE OUT

HEAD	175
COST	183001.26
BOUGHT WEIGHT	103303
\$ SOLD	233553.62
SELL WEIGHT	135625
COST/GAIN	30705.9
LBS GAINED	32322
PROFIT	19846.46

PROJECTED CLOSE OUT

HEAD	174
COST	183052.91
BOUGHT WEIGHT	103373
\$ SOLD	232911.69
SELL WEIGHT	134850
COST/GAIN	29903.15
LBS GAINED	31477
PROFIT	19955.63

MCCLAIN FARMS INC

824 MULLINS LANE
BENTON, KY 42025

MECHANICS BANK
COMMITMENT THAT LASTS GENERATIONS
PH: 800-797-6324

90-203/1211

1/6/2023

PAY TO THE ORDER OF AJ JACQUES

\$ **26,997.32

Twenty-Six Thousand Nine Hundred Ninety-Seven and 32/100*****

DOLLARS

AJ JACQUES

MEMO

Meagan Good

⑈004558⑈ ⑆121102036⑆ 3070⑈

Details on back
Security Features Included

REFER TO MAKER

This is a LEGAL COPY of your
check. You can use it the
same way you would use the
original check.

RETURN REASON-S
REFER TO MAKER

4558

MCCLAIN FARMS INC
824 MULLINS LANE
BENTON, KY 42025

MECHANICS BANK
COMMITMENT THAT LASTS GENERATIONS
PH: 800-797-0324

90-203/1211

1/6/2023

PAY TO THE
ORDER OF AJ JACQUES

\$**26,997.32

Twenty-Six Thousand Nine Hundred Ninety-Seven and 32/100*****

AJ JACQUES

DOLLARS

MEMO

MEGAN GOOD

⑈004558⑈ 1⑈12102036⑈ 3070⑈

☒ Credit Account of Within Named Payee
Absence of Endorsement Guaranteed
Equity Bank

☐ CHECK HERE AFTER MOBILE OR REMOTE DEPOSIT

DATE _____

DO NOT WRITE STAMP OR SIGN BELOW THIS LINE
DO NOT WRITE STAMP OR SIGN BELOW THIS LINE

Do not endorse or write below this line.



7701 E Kellogg Dr, Ste 100
Wichita, KS 67207

Account: **4464
Date: 04/27/2023
Page: 1

A J JACQUES
SUSAN P JACQUES
4025 W DEER XING DR
STILLWATER, OK 74074-7643

Notice of Deposited Items Charged Back to Your Account

The items listed below have been returned and charged back to your account. For your convenience, we have provided substitute items which can be used in place of the original items. If you have any questions or need any assistance, please call Customer Service as 888-733-5041. Thank you for choosing Equity Bank!

Charge Back Items

Payor R/T	Return Reason	Amount
2036	'S' - Refer to Maker	\$26,997.32

Summary

Total Item Count:	1
Total Amount of Items Charged back:	\$26,997.32
Dep Item Ret Chrg:	\$5.00
Total Account Deduction:	\$27,002.32

Substitute Checks and Your Rights

What is a substitute check?

To make check processing faster, federal law permits banks to replace original checks with "substitute checks." These checks are similar in size to original checks with a slightly reduced image of the front and back of the original check. The front of a substitute check states: "This is a legal copy of your check. You can use it the same way you would use the original check." You may use a substitute check as proof of payment just like the original check.

Some or all of the checks that you receive back from us may be substitute checks. This notice describes rights you have when you receive substitute checks from us. The rights in this notice do not apply to original checks or to electronic debits to your account. However, you have rights under other law with respect to those transactions.

What are my rights regarding substitute checks?

In certain cases, federal law provides a special procedure that allows you to request a refund for losses you suffer if a substitute check is posted to your account (for example, if you think that we withdrew the wrong amount from your account or that we withdrew money from your account more than once for the same check). The losses you may attempt to recover under this procedure may include the amount that was withdrawn from your account and fees that were charged as a result of the withdrawal (for example, bounced check fees).

The amount of your refund under this procedure is limited to the amount of your loss or the amount of the substitute check, whichever is less. You also are entitled to interest on the amount of your refund if your account is an interest-bearing account. If your loss exceeds the amount of the substitute check, you may be able to recover additional amounts under other law.

If you use this procedure, you may receive up to \$2,500 of your refund (plus interest if your account earns interest) within 10 business days after we received your claim and the remainder of your refund (plus interest if your account earns interest) not later than 45 calendar days after we received your claim.

We may reverse the refund (including any interest on the refund) if we later are able to demonstrate that the substitute check was correctly posted to your account.

How do I make a claim for a refund?

If you believe that you have suffered a loss relating to a substitute check that you received and that was posted to your account, please contact us at:

Equity Bank
7701 E Kellogg
Wichita, KS 67207

Phone: 888-733-5041
Fax: 316-733-5416

You must contact us within 40 calendar days of the date that we mailed (or otherwise delivered by a means to which you agreed) the substitute check in question or the account statement showing that the substitute check was posted to your account, whichever is later. We will extend this time period if you were not able to make a timely claim because of extraordinary circumstances.

Your claim must include:

- A description of why you have suffered a loss (for example, you think the amount withdrawn was incorrect);
- An estimate of the amount of your loss;
- An explanation of why the substitute check you received is insufficient to confirm that you suffered a loss; and
- A copy of the substitute check [and/or] the following information to help us identify the substitute check:
the check number, the amount of the check and the name of the person to whom you wrote the check.

**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

May 3, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

Mechanics Bank f/k/a Rabobank, N.A.
1111 Civic Dr
Walnut Creek, California 94596

Rabo AgriFinance LLC
14767 N Outer 40 Rd #400
Chesterfield, MO 63017

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase

Amount Owed

1-6-2023	\$ 366,054.17

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check

Date of Check

Amount of Check

McClain Farms, Inc.	1-6-2023	\$ 26,997.32

--	--	--

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: A.J. Jacques

Title: Trustee

Printed Name: A.J. Jacques

Company Name: A.J. Jacques Living Trust

Address: 4025 W. Deer Crossing Dr. Stillwater, OK. 74074

Telephone Number: 817-368-2266

Email: aj@atlasdrilling.com

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

Jones, Thomas - MRP-AMS

From: AJ Jacques <aj@atlasdrilling.com>
Sent: Wednesday, May 17, 2023 10:17 AM
To: Jones, Thomas - MRP-AMS
Subject: [External Email]McClain Feedlot Case
Attachments: HPSCAN_20230517144032236_2023-05-17_144942785.pdf

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Hi Thomas,

Sorry it took me so long to get this information to you. This is all of the documentation that I have regarding this case. As you can see, my claim is for \$366,054.17 plus \$26,997.32. You can call me at 817-368-2266 if you have additional questions.

Thank You,
A.J. Jacques

A.J. Jacques

4025 W. Deer Crossing Dr.
Stillwater, OK 74074

GUARANTEED MAIL



OK 740

2023 SEP 1

7022 2410 0000 8126 8595



RDC 21



80011

Packers and Stockyards

Western Divisional Office

3950 Lemniston Street, Suite #200

Aurora, CO

80011-155050

80011-1556

U.S. POSTAGE
ECONOMY
STILLWATER, OK
74074
MAY 03 2023
AMOUNT

\$7.50
R2305K13438-6

Jones, Thomas - MRP-AMS

From: Wells, Michael - MRP-AMS
Sent: Wednesday, May 3, 2023 8:27 AM
To: Jones, Thomas - MRP-AMS; Fast, Adam - MRP-AMS; England, Branard - MRP-AMS
Cc: Meyers, Alexis - MRP-AMS; Meyers, Alexis - MRP-AMS; Mapes, Tanisha - MRP-AMS; Power, Jessica - MRP-AMS
Subject: FW: [External Email]FW: Scanned document from HP ePrint user
Attachments: HPSCAN_20230502205304147_2023-05-02_205438859.pdf

Attached: Dealer Trust email and date stamped doc

From: AJ Jacques <aj@atlasdrilling.com>
Sent: Tuesday, May 2, 2023 4:02 PM
To: AMS - PSDDenverCO <PSDDenverCO@usda.gov>; AMS - PSDDesMoinesIA <PSDDesMoinesIA@usda.gov>
Subject: [External Email]FW: Scanned document from HP ePrint user

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Please see the attached "Dealer Trust Notification".

Thank You,

A.J. Jacques

A.J. Jacques

4025 W. Deer Crossing Dr.
Stillwater, OK 74074

VERIFIED MAIL



7022 2410 0000 8126 8601

1/40

2:23 PM



ROC 21



50309

U.S. POSTAGE
FCM LETTER
74074
MAY 03, 2011
AMOUNT

\$7.56

R2305K134855

Midwestern Division Regional Office
210 Walnut Street
Federal Building, Room #319
Des Moines, IA.

5030982110 C101



**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

May 3, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

Mechanics Bank f/k/a Rabobank, N.A.
1111 Civic Dr
Walnut Creek, California 94596

Rabo AgriFinance LLC
14767 N Outer 40 Rd #400
Chesterfield, Missouri 63017

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, Mechanics Bank f/k/a Rabobank, N.A., and Rabo AgriFinance LLC who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase

Amount Owed

January 6, 2023	\$146,159.69
January 6, 2023	\$175,052.56
January 6, 2023	\$77,611.35
January 6, 2023	\$96,825.29

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

RECEIVED
May 3, 2023
USDA, AMS, FTPP,
PACKERS &
STOCKYARDS
DIVISION
DES MOINES, IA

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: _____

Title: Managing Member

Printed Name: Bradley A. Gungoll

Company Name: Gungoll Cattle, LLC

Address: 3818 South Sangre Rd., Stillwater, OK 74074

Telephone Number: (580) 548-6029

Email: gungoll@gungolljackson.com

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

RECEIVED
May 3, 2023
USDA, AMS, FTPP,
PACKERS &
STOCKYARDS
DIVISION
DES MOINES, IA

RECEIVED
May 3, 2023
USDA, AMS, FTPP,
PACKERS &
STOCKYARDS
DIVISION
DES MOINES, IA **116**

Jones, Thomas - MRP-AMS

From: Wells, Michael - MRP-AMS
Sent: Wednesday, May 3, 2023 12:51 PM
To: Jones, Thomas - MRP-AMS; Fast, Adam - MRP-AMS; England, Branard - MRP-AMS
Cc: Meyers, Alexis - MRP-AMS; Dubberke, Alexandra - MRP-AMS; Mapes, Tanisha - MRP-AMS; Power, Jessica - MRP-AMS
Subject: FW: [External Email]Dealer Trust Notification Section 318-Packers & Stockyards Act, Gungoll Cattle LLC, Leah Gungoll
Attachments: GC Lien Claim.pdf; LC Lien Claim.pdf

Attached: Dealers Trust

From: Bradley A. Gungoll <gungoll@GungollJackson.com>
Sent: Wednesday, May 3, 2023 11:16 AM
To: AMS - PSDDenverCO <PSDDenverCO@usda.gov>; AMS - PSDDesMoinesIA <PSDDesMoinesIA@usda.gov>
Cc: Wade Gungoll <gungoll@gmail.com>; JACQUES, A J <aj@atlasdrilling.com>
Subject: [External Email]Dealer Trust Notification Section 318-Packers & Stockyards Act, Gungoll Cattle LLC, Leah Gungoll

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Attached are the claims for failure to pay for cattle for Gungoll Cattle LLC and Leah Gungoll. Contact me with any questions. Thanks.

Bradley A. Gungoll

ATTORNEY

gungoll@GungollJackson.com



Gungoll, Jackson, Box & Devoll, P.C.

101 Park Avenue
Suite 1400
Oklahoma City, OK 73102
P. 405.272.4710
F. 405.272.5141

323 W. Broadway
PO Box 1549
Enid, OK 73702
P. 580.234.0436
F. 580.233.1284

This e-mail contains PRIVILEGED AND CONFIDENTIAL INFORMATION intended only for the use of the recipient(s) named above. If you are not the intended recipient of this e-mail, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify us via e-mail and delete this e-mail from your system. Thank you.



Eungoll Jackson PC
101 Park Avenue, Ste. 1400
Oklahoma City, OK 73102

CERTIFIED MAIL®



7020 0640 0001 0394 3834

OKLAHOMA CITY OK 730
3 MAY 2023 PM 5:11

FP® US POSTAGE
\$008.34®

First-Class - IM1
ZIP 73102

05/03/2023
0368 0011825300

Agricultural Marketing Service
210 Walnut Street
Federal Building, Rm 317
Des Moines, IA 50309

50309-211092



**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

May 3, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

Mechanics Bank f/k/a Rabobank, N.A.
1111 Civic Dr
Walnut Creek, California 94596

Rabo AgriFinance LLC
14767 N Outer 40 Rd #400
Chesterfield, Missouri 63017

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, Mechanics Bank f/k/a Rabobank, N.A., and Rabo AgriFinance LLC who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase

Amount Owed

January 6, 2023	\$150,852.24

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

RECEIVED
May 3, 2023
USDA, AMS, FTPP,
PACKERS &
STOCKYARDS
DIVISION
DES MOINES, IA

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: _____

Title: Self

Printed Name: Leah Gungoll

Company Name: N/A (individual)

Address: 3818 South Sangre Rd., Stillwater, OK 74074

Telephone Number: (580) 548-6029

Email: gungoll@gungolljackson.com

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

RECEIVED
May 3, 2023
USDA, AMS, FTPP,
PACKERS & STOCKYARDS
DIVISION
DES MOINES, IA

824 MULLINS LANE
BENTON KY 42025

INVOICE #

DATE _____

1/6/2023

BILL TO

LEAH CATTLE

CUSTOMER ID

TERMS

Due Upon Receipt

DESCRIPTION	QTY	UNIT PRICE	AMOUNT
157 H 91531# @164.81	91531	1.6481	150,852.24

Thank you for your business!

SUBTOTAL

150,852.24

CHECK OFF

TOTAL

\$

150,852.24

IF YOU HAVE ANY QUESTIONS ABOUT THIS INVOICE, PLEASE CONTACT
MEAGAN GOAD AT 270-703-1295 OR MCCLAINFARMS@GMAIL.COM

RECEIVED
May 3, 2023
USDA, AMS, FTPP,
PACKERS &
STOCKYARDS DIVISION
DES MOINES, IA

Jones, Thomas - MRP-AMS

From: Wells, Michael - MRP-AMS
Sent: Wednesday, May 3, 2023 12:51 PM
To: Jones, Thomas - MRP-AMS; Fast, Adam - MRP-AMS; England, Branard - MRP-AMS
Cc: Meyers, Alexis - MRP-AMS; Dubberke, Alexandra - MRP-AMS; Mapes, Tanisha - MRP-AMS; Power, Jessica - MRP-AMS
Subject: FW: [External Email]Dealer Trust Notification Section 318-Packers & Stockyards Act, Gungoll Cattle LLC, Leah Gungoll
Attachments: GC Lien Claim.pdf; LC Lien Claim.pdf

Attached: Dealers Trust

From: Bradley A. Gungoll <gungoll@GungollJackson.com>
Sent: Wednesday, May 3, 2023 11:16 AM
To: AMS - PSDDenverCO <PSDDenverCO@usda.gov>; AMS - PSDDesMoinesIA <PSDDesMoinesIA@usda.gov>
Cc: Wade Gungoll <gungoll@gmail.com>; JACQUES, A J <aj@atlasdrilling.com>
Subject: [External Email]Dealer Trust Notification Section 318-Packers & Stockyards Act, Gungoll Cattle LLC, Leah Gungoll

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Attached are the claims for failure to pay for cattle for Gungoll Cattle LLC and Leah Gungoll. Contact me with any questions. Thanks.

Bradley A. Gungoll

ATTORNEY

gungoll@GungollJackson.com



Gungoll, Jackson, Box & Devoll, P.C.

101 Park Avenue
Suite 1400
Oklahoma City, OK 73102
P. 405.272.4710
F. 405.272.5141

323 W. Broadway
PO Box 1549
Enid, OK 73702
P. 580.234.0436
F. 580.233.1284

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CERTIFIED MAIL

Gungoll Jackson PC
101 Park Avenue, Ste. 1400
Oklahoma City, OK 73102



7020 0640 0001 0394 6835



FP **US POSTAGE**
\$008.10

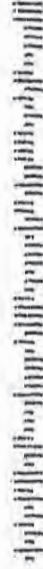
First-Class - IM
ZIP 73102

05/03/2023

036B 0011825300

Agricultural Marketing Service
3950 Lewiston St. #200
Aurora, CO 80011

80011-156050



Gungoll Jackson PC
101 Park Avenue, Ste. 1400
Oklahoma City, OK 73102



7020 0640 0001 0394 6842



FP US POSTAGE
\$008.10⁹
First-Class - IM6
ZIP 73102
05/03/2023
036B 0011825300

Agricultural Marketing Service
210 Walnut Street
Federal Building, Rm 317
Des Moines, IA 50309

50309-211092



**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

RECEIVED
Apr 26, 2023
By Zachary Reding
USDA, AMS, FTFP, PSD
WESTERN REGIONAL OFFICE

April 24, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase

Amount Owed

1/7/2023 / delivered 4/13/23	\$ 239,732.85
3/15/2023 delivered 4/24/23	\$ 84,036.99

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check

Date of Check

Amount of Check

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets

include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at _____ and _____.

Sincerely,

Signature: _____

Title: _____

Printed Name: _____

Company Name: _____

Address: _____

Telephone Number: _____

Email: _____

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

4/24/2023

To Whom It May Concern:

The group of cattle dated 1/7/2023 were delivered by Brian McClain from Hereford, TX to a fats yard (assuming Friona) on April 13, 2023 as stated in a text message (see attached) from Brian. He was to pay for these cattle on Tuesday April 18, 2023. His unfortunate death has left our payment of these cattle unpaid.

The group of cattle dated 3/15/2023 were taken to a sale barn on 3/22/2023 from Benton, KY to be sold by the 'bank' after Brians passing.

My son Jordan, who also owns a small trucking company and trucked cattle for McClain, was in Kentucky at the grow yard for an inspection of these cattle, owned by myself and several other groups of cattle owned by members of our family. It was Brians practice to start cattle in Benton, line them out and then send them to McClain Feedyard Hereford, TX or 7M Feeders Friona, TX to the grow yard and grow them there before being sold and sent to a fats yard.

Upon inspection of the facilities and cattle he witnessed several/many trucks lined up to load out. He asked the truck drivers who was having them load and where they were being taken. The answer was "the 'bank' is having us take them to a salebarn." To date, no one has notified us of a sale price or sent us a payment.

I have attached some documentation as to our business dealings with Mr McClain since 2015. It was his practice to contract the cattle, I believe through Riley Brothers, or Riley Livestock, INC - Jeff Riley who I believe sold those cattle to Friona Feeders. We would pay Brian for the cattle, he would line them out and grow them for 90-150 days. He would pay us profit approximately 3-6 days after delivery.

Please let me know if you have any questions or concerns.

Gary & Jan Lesh

405-269-8167

PROJECTED CLOSE OUT

HEAD	216	216
COST	216,318.38	216,318.38
BOUGHT WEIGHT	126,576	126,576
S SOLD	278,525.65	278,525.65
SELL WEIGHT	167,400	167,400
COST/GAIN	38,782.80	38,782.80
LBS GAINED	40,834	40,834
PROFIT	23,414.47	23,414.47

Cost	216,318.38
Profit	23,414.47
	<hr/>
	\$ 239,732.85

These cattle delivered 4/13/23

3/15/2023

delivered
4/24/23

4:33

LTE



Brian >



by next week?

Thu, Apr 13 at 2:42 PM

any chance those cattle have
closed? need to send may taxes
in 🤖

I can do it Tuesday I delivered
today

ty so much!!!

Tue, Apr 18 at 9:28 AM

u able to wire that money on that
close out?

Delivered



iMessage



	A	B	C	D	E	F	G	H	I	J	K
39											
40	GROUP NAME	PURC DATE	SEX	# HD	PRICE/HD	PURCH PRICE	BUY WT	SALE DATE	#HD SOLD	SELL WGHT	DLY GAIN
41	RCB-1ST GROUP				#DIV/OI						#DIV/OI
42					#DIV/OI						#DIV/OI
43		11/12/2015	S	176	\$ 899.96	\$ 158,393.27	79160	3/16/2016	170	128180	#DIV/OI
44		3/16/2016	S	184	\$ 859.60	\$ 158,166.18	88688	7/14/2016	179	135324	2.17
45		7/14/2016	S	212	\$ 747.78	\$ 158,529.87	104516	11/8/2016	207	140863	1.55
46		11/8/2016	H	267	\$ 594.58	\$ 158,752.99	127359	3/16/2017	260	196820	2.09
47		3/16/2017	H	245	\$ 647.79	\$ 158,708.40	119070	Aug-17	238	173026	1.77
48		8/24/2017	H	217	\$ 733.72	\$ 159,217.48	107849	10/30/2017	211	154663	2.47
49		10/17/2017	H	215	\$ 740.68	\$ 159,245.21	107070	1/28/2018	209	153615	2.12
50		1/28/2018	H	222	\$ 719.63	\$ 159,756.97	107004	3/21/2018	215	136740	2.43
51		3/21/2018	H	220	\$ 727.12	\$ 159,966.84	105380	6/21/2018	214	156220	2.64
52		6/21/2018	H	225	\$ 711.30	\$ 160,043.40	106200	9/19/2018	219	159870	2.78
53		9/19/2018	H	223	\$ 725.65	\$ 161,819.50	110608	12/3/2018	218	160230	3.08
54		12/3/2018	H	231	\$ 700.50	\$ 161,814.67	111481	3/1/2019	224	147616	1.90
55		3/1/2019	H	232	\$ 698.30	\$ 162,004.79	115142	8/1/2019	227	166391	1.37
56		8/1/2019	H	236	\$ 687.57	\$ 162,267.07	115871	1/3/2020	230	167900	1.49
57		1/3/2020	S	215	\$ 758.05	\$ 162,981.42	107543	6/8/2020	210	161070	1.67
58		6/8/2020	S	215	\$ 759.96	\$ 163,391.48	112165	11/10/2020	209	160,094	1.48
59		11/10/2020	S	228	\$ 720.18	\$ 164,201.97	116052	4/20/2021	223	169703	1.50
60					#DIV/OI						#DIV/OI
61					#DIV/OI						#DIV/OI
62					#DIV/OI						#DIV/OI
63	RCB-2ND GROUP		b		#VALUE!						#DIV/OI
64		3/5/2019	S	65	\$ 768.49	\$ 49,951.78	32144	8/23/2019	64	48640	1.51
65		8/23/2019	S	68	\$ 738.61	\$ 50,225.19	33783	2/7/2020	67	50853	1.52
66		2/7/2020	s	66	\$ 764.78	\$ 50,475.51	33858	6/8/2020	65	49465	1.98
67		6/10/2020		67	\$ 761.25	\$ 51,003.65	34746	11/10/2020	66	50820	1.57
68		11/10/2020	S	71	\$ 720.38	\$ 51,146.63	36210	4/20/2021	70	53130	1.51
69											
70											
71		2/23/2021									
72		6/11/2021								812,537.83	
73		11/10/2021								#####	
74		2/8/2022			#VALUE!						#DIV/OI
75	**	8/8/2022		229	\$ 944.26	\$ 216,361.16	151955	8/8/2022	282	216576	1.29
76		1/7/2023	H	216	\$ 1,001.47	\$ 216,235.33	132416				#DIV/OI
						\$ 216,318.38	126576				#DIV/OI

A	B	C	D	E	F	G	H	I	J	K
GROUP NAME	PURC DATE	SEX	# HD	PRICE/HD	PURCH PRICE	BUY WT	SALE DATE	#HD SOLD	SELL WGHT	#DIV/OI
				#DIV/OI						DLY GAIN
				#DIV/OI						#DIV/OI
				#DIV/OI						#DIV/OI
1	5/17/2017	h	114	\$ 753.28	\$ 85,873.37		9/17/2017	52		
2	10/19/2018	H	53		\$ 41,000.44		1/4/2019			
3	1/4/2019	H	106		\$ 83,001.71	53636	3/1/2019	103	64272	
4	3/1/2019	h	109	\$ 767.74	\$ 83,683.50	54446	8/13/2019	107	80785	1.49
5	8/1/2019	H	122	\$ 684.75	\$ 83,539.35	59353	1/3/2020	119	87822	1.57
6	1/3/2020	H	111	\$ 755.26	\$ 83,834.17	55234	6/8/2020	108	82404	1.62
7	6/8/2020	S	111	\$ 756.49	\$ 83,970.75	58386	11/3/2020	108	81432	1.39
8	11/10/2020	s	117	\$ 717.83	\$ 83,985.53	59670				#DIV/OI
9	3/1/2021			#DIV/OI						#DIV/OI
10	11-Jul			#DIV/OI						#DIV/OI
11	11/1/2021			#DIV/OI						#DIV/OI
12	5/4/2022		86	\$ 969.18	\$ 83,349.60	48140	11/4/2022	82	63878	1.28
13	9/5/2022									
14	12/1/2022									
15	3/15/2023		75		\$ 84,036.99	43957				

RECEIVED
Apr 25, 2023
By Zachary Reding
USDA, AMS, FTTP, PSD
WESTERN REGIONAL OFFICE

**DEALER TRUST NOTIFICATION
SECTION 318-PACKERS & STOCKYARDS ACT**

April 25, 2023

McClain Feed Yard, Inc.
320 Schley Street
Hereford, Texas 79045

7M Feeders, Inc.
4010 FM 1057
Hereford, Texas 79045

McClain Farms, Inc.
3231 Vanzora Rd.
Benton, Kentucky 42025

Riley Livestock, Inc.
250 Brittian Rd
Mayfield, Kentucky 42066

Brian McClain
824 Mullins Lane
Benton, Kentucky 42025

RE: Failure to Pay For Cattle by McClain Feed Yard, Inc., 7M Feeders, Inc., McClain Farms, Inc., Riley Livestock, Inc., and/or Brian McClain, who shall collectively be referred to as the "Purchasers."

To Whom It May Concern:

This is to notify you that I have not been paid for livestock purchased by one or more of the Purchasers on the dates and in the amounts as follows (attach additional pages as needed):

Date of Purchase		Amount Owed
	See Attached	

For each dishonored or bad check I received from one or more of the Purchasers for livestock sales by me to one or more of the Purchasers, I provide you with the following information (attach additional pages as needed):

Maker of Check	Date of Check	Amount of Check
Mechanics Bank (McClain Farms -)	4/1/23	\$183,070. ³³
" "	4/18/23	\$185,070. ³³

As a cash seller of livestock, I request that Purchasers hold in trust for me the assets required to be held in trust under the Packers and Stockyards Act (7 U.S.C. § 217b). Those assets include, but are not limited to livestock, proceeds from the sale of livestock, and any associated accounts receivable or rights to payment. Such assets are to be held in a statutory

trust for the benefit of unpaid cash sellers like myself. This notice is for the full amount due for the livestock sold.

As required by law, I am forwarding a copy of this letter to the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Western Division Regional Office located at 3950 Lewiston Street, Suite 200, Aurora, CO 80011-1556 as well as the Midwestern Division Regional Office located at 210 Walnut Street, Federal Building, Room 317, Des Moines, Iowa 50309 and via email at PSDDenverCO@usda.gov and PSDDesMoinesIA@usda.gov.

Sincerely,

Signature: 

Title: Owner

Printed Name: Jared Lesh

Company Name: Jared Lesh

Address: 10801 E Hwy 82 Whitesboro, TX 76273

Telephone Number: (405) 269-3467

Email: JaredWlesh@aol.com

Cc: Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division

Image # 850934890000625

Front Image

4321

90-203/1211

4/18/23

MCCLAIN FARMS INC
824 MULLINS LANE
BENTON, KY 42025

MECHANICS BANK
COMMITMENT THAT LASTS GENERATIONS
PH: 800-797-6324

PAID TO THE ORDER OF
Jared Lesh
\$185,070.³³
DOLLARS

MEMO

MEAGAN GOOD

00043211211020361307011

Back Image



PAY TO THE ORDER OF

4320

90-203/1211

4/1/23

\$185,070.33

DOLLARS

Meagan Good

1100432011 151211020361: 307011

Back Image

ENDORSE HERE

PAY TO THE ORDER OF

CLOSE OUT

HEAD	473
COST	431337.88
BOUGHT WEIGHT	260832
\$ SOLD	562,022.74
SELL WEIGHT	346236
COST/GAIN	104,751.71
PROFIT	25,933.15

Sold

3/28/23

MCCLAIN FEEDING INC

824 MULLINS LANE
BENTON KY. 42025

BILL TO: JARED LESH

11/17/2022

AD	SEX	WEIGHT	PRICE/LB	TOTAL COST
494	H	260832	1.6537	\$431,337.88
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
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				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
494				\$431,337.88

CLOSE OUT

HEAD	112
COST	99989.45
BOUGHT WEIGHT	59624
\$ SOLD	133,051.46
SELL WEIGHT	81536
COST/GAIN	26,082.78
PROFIT	6,979.23
JARED FEED	32,095.00

Sold
3/28/23

CLOSE OUT

HEAD	497
COST	444576.13
BOUGHT WEIGHT	292292
\$ SOLD	601,953.20
SELL WEIGHT	400085
COST/GAIN	109,096.12
PROFIT	48,280.95 SPLIT

32187³⁰

2/20/2022

1 split

CLOSE OUT

HEAD	444
COST	436205.95
BOUGHT WEIGHT	266304
\$ SOLD	568,695.88
SELL WEIGHT	348096
COST/GAIN	85,052.64
PROFIT	47,437.29 SPLIT

Sold

3/28/23

31624 86

MCCLAIN FEEDYARD, INC.
824 MULLINS LANE
BENTON KY. 42025

BILL TO: JARED LESH

11/17/2022

EAD	SEX	WEIGHT	PRICE/LB	TOTAL COST
456	H	266304	1.638	\$436,205.95
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
456				\$436,205.95

CLOSE OUT

Sold

3/24

HEAD	375
COST	327781.13
BOUGHT WEIGHT	204225
\$ SOLD	436,143.48
SELL WEIGHT	276750
COST/GAIN	87,023.81
PROFIT	21,338.54

jared feed	31,605.00
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